Amendments to the Drawings:

The attached seven (7) new sheets of drawings include an amended FIGS. 3 and 4 and formal drawings for these figures and for FIGS. 1-2 and 5-8. These new sheets, which depict FIGS. 1, 2, 3 and 4, 5, 6, 7 and 8, are being substituted for the sheets currently on file depicting FIGS. 1-2, 3-4, 5-6 and 7-8 which are canceled. In FIGS. 3 and 4, the hubs have been redrawn so as not to be aligned. FIG. 3 shows the operational incline angle α, and FIG. 4 shows the installation incline angle β. In these figures and the remaining FIGS. 1-2 and 5-8, the character of the lines, number and letters have been made uniformly thick and well defined, clean, durable and black, the figure legends are no longer poor, and the handwritten data has been replaced with printed data.

Attachment: Seven (7) new sheets of drawings

REMARKS/ARGUMENTS

The claims are 9-12, 16-17 and 23. Claim 17 has been amended to incorporate the subject matter of claims 14 and 15. Accordingly, claims 14 and 15 have been canceled. Claims 4, 13 and 18-22 have also been canceled. In addition, new claim 23 dependent on claim 17 has been added. FIGS. 1-8 currently on file have been canceled in favor of new FIGS. 1-8. New FIGS. 3 and 4 show the hubs not aligned, with the operational incline angle α shown in FIG. 3 and the installation incline angle β shown in FIG. 4. These figures and the remaining FIGS. 1-2 and 5-8 also correct the informalities noted in the Notice of Draftsperson's Drawing Review attached to the June 12, 2009 Final Office Action. The specification has been amended as reflected in the Substitute Specification submitted herewith in view of the new FIGS. 3 and 4, to delete reference to the DIN 53505 standard published in 2000, and to correct a clerical error. Support may be found, *inter alia*, in the paragraphs bridging pages 7-8 and pages 11-12 of the original disclosure, and in the original drawings. Reconsideration is expressly requested.

The replacement drawings filed April 29, 2009 were objected to as failing to show the angles recited in claim 4. In

response, Applicants have canceled claim 4 and have provided new FIGS. 3 and 4 that show the hubs not aligned, with FIG. 3 showing the operational incline angle α and FIG. 4 showing the installation incline angle β. The specification has also been amended in view of new FIGS. 3 and 4. As may be taken from FIG. 3, the bellows is stretched at the maximal operational incline angle α. Further inclination would destroy the bellows, which is thus omitted in FIG. 4; however, the inclination of the joint is limited by the ball abutting the end of the track in the carrier housing. It is respectfully submitted that the new FIGS. 3 and 4 overcome the Examiner's objection to the drawings, and Applicants respectfully request that the objection on that basis be withdrawn.

The Examiner required that a Substitute Specification be submitted due to the extensive amount of changes made through amendments. In response, Applicants have enclosed herewith a Substitute Specification which reflects the Amendments to the Specification made herein with respect to the new FIGS. 3 and 4, the objections raised in the June 12, 2009 Final Office Action regarding the DIN 53505 standard published in 2000, and the correction of a clerical error. A marked-up copy showing all the changes made herein relative to the immediate prior version of

the specification of record as amended by the February 28, 2006 Preliminary Amendment and the April 22, 2009 Amendment in Response to Office Action is also enclosed. No new matter has been introduced.

The specification was objected to as improperly incorporating essential material by reference to a publication (namely the DIN standard 53505 published in 2000 at pages 8 and 11 as amended). In response, as reflected in the Substitute Specification, the objected-to references to the publication have been removed, and claim 13 which referred to a hardness of approximately 70 Shore has been canceled without prejudice, thereby obviating the Examiner's objection on this basis. Nevertheless, Applicants would like to direct the Examiner's attention to "http://en.wikipedia.org/wiki/Shore_durometer" stating that the Shore durometer hardness test (dating back to the 1920s) is typically used as a measure of hardness in polymers, elastomers and rubbers, which it is respectfully submitted is basic knowledge not requiring any further definition.

The disclosure was also objected to with respect to the recitation at page 8, line 19 regarding "raccoon damage" and with

respect to the paragraph added in the previous Amendment at page 13 which referred to reference characters α_0, α_1, β_0, and β_1 which were said to be undefined.

In response, Applicants have provided new FIGS. 3 and 4 that show the operational incline angle α (FIG. 3) and the installation incline angle β (FIG. 4) with the bellows shown in FIG. 3 stretched at the operational incline angle α. As mentioned previously, further inclination would destroy the bellows, which is thus omitted in FIG. 4; however, the inclination of the joint is limited by the ball abutting the end of the track in the carrier housing. The specification has also been amended in view of the new FIGS. 3 and 4. It is respectfully submitted that the new drawings and corresponding specification amendments overcome the Examiner's objection on this basis.

With respect to the recitation of "raccoon damage," this objection is respectfully traversed.

Raccoons, martens or similar animals sometimes nibble the bellows or other rubber material of a car which may result e.g. in leakage of grease. Such damage to the bellows or cables

caused by raccoons or martens is usually called "Marderschaden" in German, which has been translated as "raccoon damage" at page 8, line 19 of the disclosure, and which it is respectfully submitted would be understood by one skilled in the art. In any event, the cap provided partly surrounding the bellows makes it more difficult for raccoons or martens to get to the bellows and thus, as indicated at page 8, the bellows is well-protected against such "raccoon damage or the like" by means of the section that projects away from the cap. Accordingly, Applicants respectfully request that the objection regarding "raccoon damage" be withdrawn.

Claims 18-22 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement for the reasons set forth on pages 4-5 of the Office Action. In response, claims 18-22 have been canceled without prejudice, thereby obviating the Examiner's objection on this basis.

Claims 4 and 9-22 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, claim 17 was rejected as reciting the limitation "the crests of the folds [run] essentially in one plane located approximately

perpendicular to an axis" which the Examiner believed was inconsistent with the specification at page 11 indicating that the crests of the folds 15 are slightly offset. Claim 13 was objected to as containing the limitation "70 Shore" which was said to render the claim "uncertain" because standards are subject to change over time. Claim 18 was rejected as lacking sufficient antecedent basis for the recitation of "the inner collar." Claim 21 was rejected with respect to the recitation "the sleeve [which is firmly connected to the inner joint part] and the inner joint part are produced so as to form a unitary piece" which the Examiner considered to be inconsistent. In response, Applicants have canceled claims 13, 18 and 21, thereby obviating the Examiner's rejections with respect to these claims. With respect to the rejection of claim 17, this rejection is respectfully traversed.

Claim 17 as amended recites a fixed homokinetic joint that includes, *inter alia*, a sealing arrangement including a bellows having a plurality of folds, a radially outer edge and a radially inner edge. The outer edge is coupled to the carrier housing and the inner edge is coupled to the inner hub with the crests of the folds which are located in a section between the outer edge and the inner edge running essentially in one plane located approximately perpendicular to an axis of an inner hub. This

feature is discussed in Applicants' disclosure in the paragraph bridging pages 11-12, and is shown in FIG. 2. Due to tolerances and the nature of the rubber material, it is not possible to assure that the crests of the folds are exactly in a plane at any time. Moreover, according to Applicants' fixed homokinetic joint as recited in claim 17 as amended, the crests are only essentially in a plane which means that they might be slightly offset. It is respectfully submitted that in light of this disclosure, and FIG. 2, a person skilled in the art would understand that the recitation that the crests of the folds run essentially in one plane located approximately perpendicular to an axis of the inner hub means that the crests of the folds are offset only at most slightly relative to one another and lie approximately in one plane. Accordingly, it is respectfully submitted that the rejection of claim 17 under 35 U.S.C. §112, second paragraph, should be withdrawn.

Claims 4 and 9-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Smith et al. U.S. Patent No. 3,688,521* in view of *Muller et al. U.S. Patent No. 4,630,834*.

In response, Applicants have amended claim 17 to incorporate the subject matter of claims 14 and 15 and respectfully traverse the Examiner's rejection for the following reasons.

As set forth in claim 17 as amended, Applicants' invention provides a fixed homokinetic joint including an inner hub, an outer hub, a carrier housing surrounding the outer hub, a plurality of tracks associated together in pairs provided in each of the inner hub and the outer hub, a plurality of balls received in the tracks, a cage guiding the balls to transfer a torque between the inner hub and the outer hub, a sealing arrangement including a bellows, and a closure cover provided on the side that faces away from the bellows, which is pressed into the carrier housing to form a seal.

None of the cited references discloses or suggests a fixed homokinetic joint having a cover as recited in Applicants' claim 17 as amended. Moreover, any such cover would be entirely unnecessary in the prior art cited by the Examiner as the components themselves are closed. For example, the U-shaped outer hub of the primary reference to *Smith et al.* does not require any additional lid or cover. Similarly, the secondary

reference to *Muller et al.* likewise fails to disclose or suggest any such cover.

Accordingly, it is respectfully submitted that claim 17 as amended, together with claims 9-12, 16 and 23, which depend directly or indirectly thereon, are patentable over the cited references.

In summary, claims 4, 13-15 and 18-22 have been canceled, claim 17 has been amended, and new claim 23 has been added. The specification has also been amended, and new FIGS. 1-8 have been added in place of FIGS. 1-8 currently on file which are canceled. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,
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Enclosure:
Appendix with seven (7) new sheets of drawings
Attachment A: Substitute Specification (clean copy)
Attachment B: Substitute Specification (marked-up copy)

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Date of Deposit: September 14, 2009

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, on the date indicated above, and is addressed to the MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Tara Allen

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APPENDIX

Attachment A

Attachment B